

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

**Claim 1 (Currently Amended):** A disk apparatus that ~~performs information reproduction~~ calculates optimal reproduction laser power by irradiating a laser beam onto data zones of a disk recording medium ~~rotated in a CAV system~~, comprising:

a determiner for determining a reference reproduction laser power value by subjecting said disk recording medium to a test writing and a test reading at a first reference linear velocity;

a specifier for specifying a current linear velocity coefficient on the basis of a current ambient temperature of said disk recording medium and a current linear velocity at a ~~portion~~ data zone to which said laser beam is currently irradiated,

wherein said specifier updates said current linear velocity coefficient by use of a condition relating to the ambient temperature and linear velocity at a specific data zone; and

a calculator for calculating an optimal reproduction laser power value obtained by multiplying the reference reproduction laser power value determined by said determiner by the ~~optimal~~ current linear velocity coefficient specified by said specifier, ~~wherein,~~

~~said specifier specifies said linear velocity coefficient by use of a first relational expression indicative of a relationship between the ambient temperature of said disk recording medium at a second reference linear velocity and a linear velocity coefficient, and a second relational expression indicative of a relationship between said linear velocity coefficient and said current linear velocity.~~

**Claims 2-3 (Canceled)**

**Claim 4 (Previously Presented):** A disk apparatus according to claim 1, wherein said reference reproduction laser power value is obtained by adding a predetermined proportion of a lower limit reproducible laser power value by which said disk recording medium can be reproduced at least to said lower limit reproducible laser power value.

**Claim 5 (Previously Presented):** A disk apparatus according to claim 1, wherein said reference reproduction laser power value is obtained by subtracting a predetermined proportion of an upper limit reproducible laser power value by which said disk recording medium can be reproduced at most from said upper limit reproducible laser power value.

**Claim 6 (Currently Amended):** A disk apparatus according to claim 1, wherein said ~~first reference~~ linear velocity at said specific data zone is a linear velocity ~~[[of]]~~ at an innermost data zone ~~periphery in a ZCAV system.~~

**Claim 7 (Currently Amended):** A disk apparatus according to claim 1, wherein said ~~second reference~~ linear velocity at said specific data zone is a linear velocity ~~[[of]]~~ at an outermost data zone ~~periphery in the ZCAV system.~~

U.S. Patent Application Serial No. **10/501,331**  
Amendment filed April 6, 2010  
Reply to OA dated December 9, 2009

**Claim 8 (Currently Amended):** A disk apparatus according to claim 1, wherein said first condition relates to ~~relational expression is an expression for decreasing~~ a decrease in a value of said linear velocity coefficient as said ambient temperature increases.